

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA**

**DAVID ANTHONY HARRIS,**

**Petitioner,**

**v.**

**Civil No. 3:07cv163  
(Judge Bailey)**

**WARDEN JOE DRIVER,**

**Respondent.**

**ORDER GRANTING EXTENSION OF TIME  
TO PAY THE \$5.00 FILING FEE**

On December 12, 2007, the *pro se* petitioner initiated this case by filing a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. On that same date, the plaintiff filed a Motion for Leave to Proceed *in forma pauperis* and a sealed Prisoner Trust Fund Account Statement. On December 13, 2007, an Order was enter granting the petitioner *in forma pauperis* status but requiring him to pay the **\$5.00** filing fee with thirty (30) days.

On January 7, 2008, the petitioner filed a letter which has been docketed as a Motion for an Extension of time to pay the filing fee. In the letter, the petitioner notes that he did not receive the order until January 3, 2008. Accordingly, for good cause shown, the petitioner's Motion (Doc. 9) is **GRANTED**, and he shall have an additional thirty (30) days from entry of this Order to pay the **\$5.00 filing fee**.

**Failure to pay the \$5.00 fee within the required time period will result in a recommendation that his case be dismissed.**

**IT IS SO ORDERED.**

The Clerk is directed to send a copy of this Order to the *pro se* petitioner by certified mail, return receipt requested, to his last know address as reflected on the docket sheet.

Dated: January 8,2008.

/s/ James E. Seibert  
JAMES E. SEIBERT  
UNITED STATES MAGISTRATE JUDGE